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EXAMINER
WAKS, JOSEPH

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

09/981,231

Examiner

Joseph Waks

Applicant(s)

PLATT, STEVE ANDERSON

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-17,29-37,44-70 and 72-82.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. The examiner's amendment issued on February 1, 2007 contained an erroneous cancellation of claims 20-23 and 40. The following is to correct the error.

Add the following new claims:

78. (New) A wind powered electrical generation system comprising:

a tower including a vertical elevator, the vertical elevator having a track and a carriage configured to move along the track; and

a wind powered generator configured to be connected to the carriage, the wind powered generator including a plurality of airfoils and an electric generator;

wherein the wind powered generator can be removably placed within the carriage after the tower has been erected and lifted vertically with the carriage to position the wind powered generator at a top of the tower; and

wherein the wind powered generator can be removed from within the carriage after the carriage has been lowered; the tower comprising a lower tower section and an upper tower section;

the lower tower section including a first vertical column, a second vertical column and a third vertical column, the lower tower section further including at least three cross braces, with two of the cross braces being connected to each of the first vertical column, the second vertical column and the third vertical column; and

the upper tower section including a first upper column, a second upper column and a third upper column, with the first upper column and the second upper column

being substantially parallel and the third upper column converging towards the first upper column and the second upper column;

the lower tower section being configured to be connected to the upper tower section by connecting a top of the first vertical column of the lower tower section directly below the upper tower section to a bottom of the first upper column of the upper tower section, connecting a top of the second vertical column of the lower tower section directly below the upper tower section to a bottom of the second upper column of the upper tower section, and

connecting a top of the third vertical column of the lower tower section directly below the upper tower section to a bottom of the third upper column of the upper tower section; and the track being fully assembled and ready to raise and lower the wind powered generator when the lower tower section is connected to the upper tower section.

79. (New) The wind powered electrical generation system of claim 78, wherein: the vertical track includes a first side guide having a first vertical strip and a second side guide having a second vertical strip; and

the carriage includes a first side groove configured to accept the first vertical strip and a second side groove configured to accept the second vertical strip, thereby allowing the carriage to slide along the first vertical strip and the second vertical strip of the vertical track.

80. (New) The wind powered electrical generation system of claim 79, wherein: the first vertical strip is comprised of a plurality of first vertical strip portions;

Art Unit: 2834

the second vertical strip is comprised of a plurality of second vertical strip portions; the first vertical column of the lower tower section includes one of the first vertical the first upper column includes one of the first vertical strips;

the second vertical column of the one lower tower section includes one of the second vertical strips;

the second upper column includes one of the second vertical strips; and

the first vertical strip and the second vertical strip are fully assembled when the at least one lower tower section is connected to the upper tower section.

81. (New) The wind powered electrical generation system of claim 80, further including:

a carriage raising assembly including a winch, a cable and a pulley; wherein the pulley is connected to the upper tower section and the winch is connected to the lower tower section;

and wherein the cable is connected to the winch and the carriage, the cable further being wrapped about the pulley whereby the carriage can be raised by rotating the winch to thereby pull the cable about the pulley and raise the carriage.

82. (New) A wind powered generator comprising:

a housing;

a rod configured to rotate within the housing; at least six spars connected to the rod and extending radially therefrom;

an airfoil connected to each of the spars at a location distal the rod; and a generator located upwind of the spars and interconnected to the rod;

wherein the spars and the rod will rotate as wind passes the airfoils, thereby powering the generator;

the airfoils are configured to pivot about the spars and to slide longitudinally along the spars; the airfoils are biased towards a first end of the spars connected to the hub;

each spar includes a cam member adjacent a second end of the spar opposite to the hub;

each airfoil includes a cam surface configured to engage the cam member on the spar; and

the cam member and the cam surface are configured to engage to thereby rotate the airfoils relative to the spars as the airfoils move along the spars towards the second end of the spars.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Waks whose telephone number is (571) 272-2037. The examiner can normally be reached on Monday through Thursday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2834

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Joseph Waks
Primary Examiner
Art Unit 2834

02/23/07